

ESF #14 - TERRORISM/WEAPONS OF MASS DESTRUCTION

Participating Departments/Agencies:

Nebraska Emergency Management Agency
Department of Education
Nebraska Department of Environmental Quality
Game and Parks Commission
Health and Human Services System
State Fire Marshal
State Patrol
Military Department
Department of Roads
University of Nebraska System
Department of Environmental Quality

I. INTRODUCTION

In June 1995, the White House issued Presidential Decision Directive 39 (PDD39), "United States Policy on Counter Terrorism." PDD-39 directed a number of measures to reduce the Nation's vulnerability to terrorism, to deter and respond to terrorist acts, and to strengthen capabilities to prevent and manage the consequences of terrorist use of nuclear, biological, and chemical (NBC) weapons including weapons of mass destruction (WMD). PDD-39 divides a terrorist incident into two basic parts.

- A. Crisis Management includes measures to identify, acquire, and plan the use of resources needed to anticipate, prevent, and/or resolve a threat or act of terrorism. The laws of the United States assign primary authority to the Federal government to prevent and respond to acts of terrorism; State and local governments provide assistance as required. Crisis management is predominantly a law enforcement response based on the situation; a Federal crisis management response may be supported by technical operations, and by Federal consequence management, which may operate concurrently. The FBI is designated as the lead Federal agency for crisis management.
- B. Consequence management includes measures to protect public health and safety, restore essential government services, and provide emergency relief to governments, businesses and individuals affected by the consequences of terrorism. The laws of the United States assign primary authority to the States to respond to the consequences of terrorism; the Federal Government provides assistance as required. The Federal Emergency Management Agency (FEMA) is designated as the lead Federal agency for consequence management.

II. PURPOSE

- A. The purpose of this annex is to ensure that the State Emergency Operations Plan (SEOP) is adequate to respond to the consequences of terrorism within Nebraska, including terrorism involving WMD.
- B. This includes those activities necessary to protect lives and property through planning and mitigation actions prior to the occurrences of potential or actual terrorist events and the effective use of local/state/federal resources after that occurrence.
- B. This Annex builds upon SEOP concepts and procedures by addressing unique policy assumptions, structures, responsibilities, and actions that will be applied for consequence management as necessary.

III. SITUATION

The state realizes that there is appropriate concern that a Terrorist/Weapons of Mass Destruction (WMD) event is possible. The open availability of basic shelf-type chemicals and mail order biological research materials, coupled with an access to even the crudest laboratory facilities, could enable the individual extremist or an organized terrorist faction to manufacture proven highly lethal substances or to fashion less sophisticated weapons of mass destruction. The use of such weapons could result in mass casualties, long term contamination, and wreak havoc to both the state and national economies.

- A. If the threat of an act or an actual incident is deemed a terrorist act by the FBI, the President may declare a Major Disaster activating the Federal Response Plan.
- B. A general concern or actual threat of an act of terrorism occurring at or during a special event within the State may cause the Governor to direct State agencies to implement precautionary measures. When directed, the Nebraska Emergency Management Agency (NEMA) will coordinate with the Nebraska State patrol (NSP) to identify potential consequence management requirements and with local and Federal consequence management agencies implement increased readiness operations.
- C. The occurrence of a terrorist incident involving WMD may cause the Governor to issue a disaster proclamation and direct NEMA to implement a consequence management response. NEMA will notify FEMA who may activate the Federal Response Plan (FERP).

IV. ASSUMPTIONS AND PLANNING FACTORS

- A. No single agency at the local, state, Federal or private level possesses the authority and expertise to act unilaterally on the many difficult issues that may arise in response to threat or acts of terrorism, particularly if WMD are involved.
- B. An act of terrorism, particularly an act directed against a large population center within the State involving WMD, may produce major consequences that would overwhelm the capabilities of local and State government almost immediately.
- C. NEMA will be notified and will advise all pertinent agencies of any incident.
- D. Terrorism and the threat or actual use of a Weapon of Mass Destruction (WMD) will continue to be a potential problem for every locality throughout Nebraska.
- E. Presidential Decision Directive (PDD) – 39 will remain in effect. PDD-39 identifies the Federal Bureau of Investigation (FBI) as the lead federal agency responsible for managing the federal law enforcement response for crisis management and the Federal Emergency Management Agency (FEMA) as the lead federal agency responsible for the federal consequence management response to a terrorist event.
- F. NEMA will provide training, planning, and exercising assistance to state and local jurisdictions through the use of a multi-agency planning, training, and exercising team.

V. CONCEPT OF OPERATIONS

Unlike natural disasters, there is generally no method to predict the time or place of a Terrorist/WMD event. This could potentially negate the "watch" and "warning" time phases normally associated with all-hazard emergencies and disasters. Under the guidance provided by PDD-39, responsibilities for terrorism response and recovery have been further delineated as either Crisis or Consequence Management operations. The action phases for a Terrorist/WMD event will be Preparedness, Response, and Recovery.

A. Preparedness Phase

- 1. The actions during this phase are those that require time to carry out. They include training, planning, and public awareness and any activities that require long term programs to accomplish their objectives.
- 2. These pre-disaster activities take place in the normal living and working environments of the participants.

B. Response Phase

The actions during this phase are those emergency response activities taken during the first 72 hours to a few weeks after the incident. These actions are those taken immediately after an incident with the major goal of saving lives, alleviating suffering and preventing further disaster.

C. Recovery Phase

1. These actions are those which began immediately after the emergency response operations of the impact phase with the goal of returning the state and citizens to normal conditions.
2. The emphasis will pass from life saving to clean up of the affected areas and returning people to normal activities.

VI. ORGANIZATION/RESPONSIBILITIES

Terrorist events create a unique environment in which to manage emergency response. Local responders are typically the first on-scene during an actual incident. Local government has the primary responsibility for protecting public health and safety. The local responders will manage all aspects of the incident until the FBI assumes command of the law enforcement aspects relating to identifying, apprehending, and neutralizing the terrorists and their weapons. Local and state authorities always maintain control of their response resources and continue to operate while the FBI integrates into the on-scene emergency management system.

A. NEBRASKA EMERGENCY MANAGEMENT AGENCY (NEMA)

1. The Nebraska Emergency Management Agency is the lead agency for disaster/emergency response planning and response coordination. NEMA is responsible for advising the Governor, government officials and local governments of the nature, magnitude and possible effects of a terrorist event.
2. NEMA will coordinate the response functions of state government. This coordination will include liaison with federal, local, state and private agencies.
3. NEMA will coordinate and/or obtain needed resources.
4. NEMA will notify all involved agencies and will maintain contact as needed for coordination of the event. This will include periodic updates for the duration of the event.
5. NEMA will assist and coordinate training, planning and preparedness efforts of terrorism statewide.

B. NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ)

1. Assist with development of mutual aid agreements or compacts that may be necessary with other agencies or facilities.
2. Designate personnel and provide available equipment if requested to be used in central and/or field emergency operations centers.
3. Designate personnel and provide available equipment to support actions taken in response to hazardous chemical, radiological, and biological incidents.
4. Assists with identifying the type(s), concentration(s), and exposure pathway(s) of hazardous chemicals as well as assisting with risk assessments or other hazardous analyses as necessary.
5. Provide public advisories in concert with HHSS and NEMA.
6. Coordinate the over packing or other encapsulation of identified hazardous chemicals.
7. Assist with directing the ultimate disposal of the target material (i.e., hazardous chemical, radiological, or biological).
8. Provide personnel as necessary to advise and assist with the environmental recovery and restoration phases.
9. Prepare and provide, when required, any closure report summarizing NDEQ support activities during an incident.

C. NEBRASKA HEALTH AND HUMAN SERVICES SYSTEMS (HHSS)

1. Coordinating the delivery of health and medical services from unaffected areas to augment or replace capabilities, which have been disrupted or destroyed.
2. Assessing damage to potable water sources and issuing orders concerning the use of water supplies following any event involving the public water supply.
3. Assessing damage to facilities which supply food and/or pharmaceuticals and will issue orders concerning the disposition of these products.
4. Inspection of congregate care facilities and other public areas to ensure that proper sanitation practices are followed.
5. Coordination for the control of disease carrying insects or animals.

6. Monitoring the response to any release of hazardous chemicals or biological materials that might endanger public health and safety.
7. Maintaining a Medical Surveillance Program to detect any incidents that might potentially be biological terrorism.
8. Provide technical expertise, assistance and coordination of laboratory support for incidents involving the use or threatened use of nuclear, biological or chemical acts of terrorism.
9. Serve as the lead State Agency for the State's response to any incident involving nuclear materials and will issue guidelines for implementation of protective actions.
10. Coordinate the gathering and reporting of information concerning injuries and fatalities.
11. Coordinate arrangements for mortuary services in situations when requirements exceed local capabilities.
12. Provide 24-hour communications capability through the Department's Emergency Communications Network.
13. Serve as co-sponsor for the Disaster Medical Assistance Team (DMAT). The DMAT is part of the National Disaster Medical System (NDMS). The DMAT is composed of volunteer medical professionals and has a cache of federal medical and support equipment which includes tents, generators, food (MRE's) and medical supplies. The DMAT is trained and equipped to establish a field emergency room and be totally self-supporting for three days. The DMAT is normally activated through the Federal Response Plan.

D. NEBRASKA STATE PATROL (NSP)

The primary responsibility of the Nebraska State Patrol is the protection of life and property. The Nebraska State Patrol have headquarters and staff in Lincoln with 6 Troop Areas providing operational coverage of the entire state.

1. Under emergency response conditions the Nebraska State Patrol (NSP) will respond to protect life and property when actions to cope with the situation exceeds local government capabilities or when assistance is requested by local officials.
2. Upon notification of a potential or actual situation involving WMD the NSP will notify the Nebraska Emergency Management Agency (NEMA). State Patrol information will be directed to the NEMA Operations Officer on duty.

3. Appropriate NSP personnel at the troop area level will develop a transportation incident management plan in consultation with the Nebraska Department of Roads, the Nebraska National Guard, local law enforcement and public works officials to allow only authorized personnel and equipment into the incident area. The size and complexity of an incident scene usually requires a security perimeter be established to limit access and keep unauthorized personnel out. If necessary, the transportation incident management plan will include procedures to issue and monitor security passes for essential personnel entering the incident area. The NSP will establish a holding area outside the security perimeter to register volunteer workers and their equipment.
4. The NSP will establish a Nebraska State Patrol Incident Command Post to direct the activities of all NSP units. This command post will coordinate issues with local law enforcement agencies, NEMA and National Guard officials if necessary. The ranking NSP officer at the troop area level will direct and coordinate the activities of the command post.
5. Immediate response to the scene of an incident is the responsibility of the Troop Commander in whose area the incident occurs. He will direct establishment of an NSP Incident Command Center, establish a security perimeter and establish patrols within the perimeter to assure the security of property.
6. The ranking NSP officer on the scene will serve as the point of contact for local officials seeking assistance or advice. Requests will be directed to the command post for review and action. This officer will coordinate information and requests with the ESF #7 Coordinator (SEOP) to ensure continuity of operations within the State Patrol.

E. FEDERAL BUREAU OF INVESTIGATION (FBI)

1. The FBI is the lead agency for crisis management and responsible for coordinating the federal law enforcement response and actions during a terrorist/WMD incident, and throughout the post-incident investigation.
2. The FBI threat analysis procedure: Immediately convey a received threat to FBI Omaha via telephone. FBI Omaha will establish a conference call with FBI Headquarters, WMD Operations Unit (WMDOU) to initiate analysis of the threat. WMDOU then evaluates the threat, resulting in a credible/non-credible determination, and a probability estimate. Recommendations will accompany any credible evaluations, to include evacuation, decontamination, personnel protective equipment, negotiation, tactical response, and device/agent specific guidance.
3. The FBI will establish a command post near the site, which will serve as the base for crisis management operations at the scene. The FBI will also establish a Joint Operations Center (JOC) to manage and coordinate the

activities of all federal, state, and local agencies. The JOC is organized into a Command Group, Operations Group, Consequence Management Group, and the Support Group. The Command Group consists of the FBI, Department of Defense (DOD), Public Health Service (USPHS), Environmental Protection Agency (EPA), FEMA, and other federal, state, and local representatives. The FBI On-Scene Commander (OSC) considers essential for managing the incident. The Operations Group handles threat evaluation, law enforcement actions, and technical evaluations and actions relating to the terrorists and their weapons. The Consequence Management Group consists of federal, state, and local agency liaisons that coordinate consequence management preparation and response with their respective agencies during threats and actual incidents. The Support Group provides support to all aspects of the federal terrorism response in the JOC. The FBI OSC will establish these functions.

4. The hand-over of authority will occur when the FBI has the resources on scene to begin overall management.

F. NEBRASKA NATIONAL GUARD (ANG)

1. Notification

In the event of a Terrorist attack, the Nebraska Army National Guard will receive notification from the Nebraska Emergency Management Agency for the need of support.

2. Support

The Nebraska Army National Guard has the ability to provide communities with manpower and equipment for a wide variety of support roles. Units will be able to perform missions from four to twelve hours after notification, depending upon unit type and personnel dispersion. These missions include, but are not limited to; debris removal; traffic control; crowd control; search and rescue; generators; potable water transport; fuel transport; light and heavy-duty utility vehicles.

3. Activation

The Nebraska Army National Guard can be activated under two types of duty, State Active Duty, and Federal Active Duty. State Active Duty is used when a State Emergency/Disaster declared by the Governor mandated by Title 32. Federal Active Duty is used when a Federal Emergency/Disaster is declared by the President of the United States, and is mandated by Title 10. Under State Active Duty, specially trained National Guard units provide the first Military response to a WMD attack, general purpose National Guard units follow and support as directed by the Governor or the State Coordinating Officer. The President of the United States can federalize National Guard units. When federalized, the National Guard units come

under control of the Department of Defense. National Guard units can enforce laws when in a state status, but not when in a federal status (unless the President of the United States so directs).

G. DEPARTMENT OF DEFENSE (DOD)

DOD has units trained and organized to respond to WMD Terrorist attacks. [U.S. Marine Forces, Chemical and Biological Rapid Response Team (CB-RRT), and Chemical and Biological Incident Response Force (CBIRF).] It is illegal for DOD to perform law enforcement functions within the United States without express Presidential Direction. In the event of a WMD incident or a special event, DOD directs USACOM and USSOCOM to deploy a Response Task Force (RTF) and/or a joint Special Operations Task Force (JSOTF), respectively, to support civil authorities in combating terrorism.

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